

EXHIBIT R

WHITNEY BRADDOCK
UNITED STATES vs STATE OF GEORGIA

July 18, 2022

1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION
4

5 UNITED STATES OF AMERICA,

6 Plaintiff, CASE NO. 1:16-cv-03088-ELR

7 vs.

8 STATE OF GEORGIA,

9 Defendants.
10
11
12

13 VIDEOTAPED DEPOSITION OF

14 WHITNEY BRADDOCK

15 July 18, 2022 -- 9:16 a.m.

16 First RESA Office

17 201 W. Lee Street

18 Brooklet, Georgia
19
20

21 Deborah K. Lingonis, RPR, CCR 2883
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1 Community Health. Do you have any interactions with
2 anybody from that department?

3 A. No.

4 Q. Okay. So we talked a little bit about the
5 meetings with the regional directors. Well, I'm not
6 sure we did actually. I might be mixing up my
7 meetings.

8 Do you participate in regular meetings with
9 regional directors of GNETS program?

10 A. Yes.

11 Q. How often do you have those meetings?

12 A. We have those meetings anywhere from once a
13 month to four times a year.

14 Q. How are they organized? Who decides when
15 there's going to be a meeting or how often?

16 A. They are organized through Georgia Department
17 of Education.

18 Q. Thank you. Does Georgia Department of
19 Education personnel attend these meetings as well?

20 A. Yes.

21 Q. And who -- is it the people we talked about,
22 Vicky Cleveland and her predecessors or other people?

23 A. Vicky Cleveland, yes, and her predecessors.

24 Q. Anybody else?

25 A. They may bring in other Georgia DOE personnel

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1 to do professional learning during these meetings.

2 Q. And what is discussed at these kinds of
3 meetings? What kinds of topics do you talk about when
4 you meet with the other directors?

5 A. In the past, we have had someone like from the
6 Georgia Department of Education Math Department talk
7 about math curriculum and things that could help
8 special ed students through math curriculum.

9 We kind of just talk about deadlines, making
10 sure that we've got our budget in on time, and that
11 kind of thing.

12 Q. So is it more of a somebody presents at each
13 meeting or is it a round-table conversation or some
14 mix?

15 A. In the past we would get together and have
16 meetings. There were times when different directors
17 might present or there were other guests that would
18 present. But most recently after COVID, most of our
19 meetings are virtual and last about an hour at tops.

20 Q. So if I understand when you say the virtual
21 ones, what are they like? Are they more of a
22 presentation or more of a conversation?

23 A. More of a presentation.

24 Q. And is there an agenda? Does somebody
25 announce who the guest is going to be and what the

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1 topic will be in advance?

2 A. Yes.

3 Q. And is that shared with you in advance?

4 A. No, I don't think so. I think we get it when
5 we then sign in.

6 Q. Okay. And is the invitation, does that come
7 from the Department of Education?

8 A. Yes.

9 Q. Do you have input into what the topics would
10 be? Like, if there was something you were concerned
11 about or struggling with, would you be able to ask if
12 that will be a topic at one of these meetings?

13 A. Yes.

14 Q. And how would you do that?

15 A. A lot of times a survey is sent out to the
16 directors with, you know, did you need information on
17 this, that, or the other. And so you can fill out that
18 survey and it's sent back and those questions then can
19 be addressed.

20 Q. And who sends out that survey?

21 A. Vicky or some other person at the DOE that she
22 may have send it out.

23 Q. Have you ever been asked to prepare reports
24 for anyone in the governor staff or the state
25 legislature?

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1 A. I have no idea.

2 Q. Has anyone from the Department of Education
3 ever reached out to you about -- with questions about
4 what's in the application?

5 A. Yes. They've asked for clarification as to
6 what I've put. I couldn't -- I don't know the
7 circumstances of that. I just remember getting a phone
8 call that said, "Hey, you said this. Is this what it
9 is?" I may have put the wrong year or something that I
10 needed to correct.

11 Q. You don't recall ever getting any substantive
12 questions about what kinds of services are being
13 provided or qualifications of teachers or anything like
14 that?

15 A. No.

16 Q. What best practices are used by staff to
17 support the students at Cedarwood? What evidence-based
18 practices?

19 A. Are you talking about affective-type things or
20 academic?

21 Q. I'm thinking mainly about behavioral and
22 social emotional. Like, are your staff trained in
23 trauma informed care for instance?

24 A. Yes.

25 Q. Who provides that training?

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1 A. We go for without contact mostly.

2 Q. And when is contact -- when does contact
3 happen?

4 A. If a student that -- it would be a young
5 student that contact would be used. We know that they
6 run or they're pushing against someone. Someone may
7 hold their hand to walk somewhere with them. We really
8 try not to use any contact.

9 Q. Do you keep a record of times where it's
10 necessary?

11 A. If we use a full restraint.

12 Q. What's a full restraint?

13 A. If a student has been aggressive or is being
14 aggressive towards someone and a staff has to use the
15 Mind Set techniques to restrain them.

16 Q. But that's the only -- so if there was someone
17 guiding somebody by the elbow or something like that or
18 holding them by the hand, that wouldn't be recorded.
19 Only the full restraint?

20 A. Correct.

21 Q. Okay. Now I want to talk a little bit about
22 the admissions process or enrollment process to
23 Cedarwood.

24 Can you describe the process. And you've
25 referenced parts of it before, but describe the process

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1 for which students come to receive services at
2 Cedarwood.

3 A. In general, a student would be in special ed
4 and having behavioral, severe behavioral issues, in
5 that setting we like to go in and do consultation
6 first, if possible.

7 If not, if things are more than -- have really
8 escalated to a certain degree that the special ed
9 director says, you know, we really need to have a
10 meeting, so we will work with a special ed director and
11 the specialty ed staff for the LEA to have a meeting on
12 the student and then the IEP committee decides
13 placement.

14 Q. And what is your role in that process?

15 A. I am -- I know what's going on. I don't
16 attend those meetings unless someone has asked me to.

17 I will look over students' paperwork. We
18 ensure that students have a behavioral intervention
19 plan that's current and it's been followed, that -- we
20 like to try to be sure everything has been tried at the
21 school before students then are met on for GNETS.

22 But even sometimes in the meeting we may come
23 with something and the IEP team decides not to send the
24 student to Cedarwood.

25 Q. Do you come up with something at the meeting

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1 that has not been tried yet?

2 A. Yeah.

3 Q. You said at the beginning that you don't
4 attend the meetings unless someone asks me. Does that
5 generally include the IEP meetings?

6 A. Yes, the psych coordinators are the
7 administrators that go do annual review meetings and
8 other IEP meetings.

9 Q. So site coordinators. Are they your designees
10 in that process?

11 A. Yes.

12 Q. And is that true for the admissions IEP
13 meetings and other IEP meetings?

14 A. Yes.

15 Q. Okay. At what point in the process you
16 described is the preferred packet prepared?

17 A. Usually when a special ed director either gets
18 in touch with me or gets in touch with the psych
19 coordinator, then we ask them to give us some
20 information on the student by filling that out and
21 sending us the information that they have on the
22 student prior to the IEP meeting.

23 Q. Okay. Is there a step in where -- so you
24 described you try to make sure everything has been
25 tried at the school. Is that step you described,

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1 making sure it's been tried, done on the basis of the
2 referral packet?

3 A. Yes.

4 Q. Okay. And then if it passes that sort of
5 screening stage, then would it advance to the step of
6 an IEP meeting?

7 A. Yes.

8 Q. So you mentioned that you want to make sure
9 they have a current IEP and that it's been followed.
10 Do you check to see whether there is an FBA?

11 A. We do, yes.

12 Q. Is it required?

13 A. It is part of that, yes. We don't have a
14 specific FBA that has to be done. But, yeah, some type
15 of functional behavioral assessment needed to be
16 done.

17 Q. I'm not sure I understood that. So are there
18 different kinds of FBAs?

19 A. There's different processes in an FBA or to
20 carry out an FBA.

21 Q. So you're saying some FBA has to be done but
22 it could be different for different students?

23 A. Yes.

24 Q. And is there a requirement there be progress
25 monitoring data on the IEP implementation?

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1 we already did.

2 Q. Do you understand that to mean you already did
3 it because they were required before or you already did
4 that even though it wasn't part of the rule?

5 A. Just because it was best practices.

6 Q. So as far as you can remember, the addition
7 for the FBA to be done prior was the only thing that
8 changed in your practice with the amendment of the
9 rule?

10 A. That was -- yes.

11 Q. Are you familiar with the -- I've been calling
12 it a referral packet, but I think it has a different
13 name. The student information -- student information
14 packet?

15 A. Yes.

16 Q. And are you familiar with the flow chart, the
17 GNETS flow chart?

18 A. Yes.

19 Q. And the guiding questions?

20 A. Yes.

21 Q. Do those documents together with the GNETS
22 rule, do they form the basis for the enrollment
23 determinations that you make for students referred for
24 services at Cedarwood?

25 A. Those along within the IEP committee team

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1 meeting.

2 Q. Okay. Are there other documents that are used
3 in the referral process?

4 A. No.

5 Q. So are the criteria set forth in the documents
6 we just discussed, the information packet, the GNETS
7 rules along with the guidance and the flow chart and
8 the guiding questions, are those sort of the criteria
9 that govern the enrollment decisions?

10 A. They are guidelines.

11 Q. All of them?

12 A. Well, the GNETS rule is actually the major
13 guideline. The others are just -- well, the GNETS rule
14 is the rule and these are just guidelines to help
15 follow in the process.

16 Q. So the information packet, the flow chart, and
17 the guiding questions are guidelines to help in the
18 process?

19 A. Yes.

20 Q. Have you received any guidance on what the
21 word intense means with respect to the rule requiring
22 intense social emotional behavioral challenges?

23 A. No.

24 Q. Have you received any guidance about how to
25 assess the severity, frequency, or duration of the

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1 challenges referred to in the rule?

2 A. No specific guidance, no.

3 Q. Have you received general guidance?

4 A. No.

5 Q. How about guidance about how to assess the
6 services and supports provided in the general education
7 settings?

8 A. No.

9 Q. And who reviews the sufficiency of the
10 services that have been provided at the student's home
11 school?

12 A. The Cedarwood coordinator and the special ed
13 director would have conversations about it.

14 Q. And does the coordinator report to you or does
15 the coordinator make a determination themselves?

16 A. In most parts the coordinator and I have
17 conversations about it.

18 Q. And then what happens after the
19 conversations?

20 A. Then they -- we might -- the coordinator
21 themselves or I would talk to the special ed director
22 and then they would -- it would still have a meeting,
23 an IEP meeting, for the committee to make the
24 decision.

25 Q. So you and the coordinator would together come

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1 to a decision about whether you think that enough had
2 been done and convey that to the special director?

3 A. Yes. We would look at, to be sure, that
4 everything has been done according to the rule, that we
5 have everything there that we need, and the information
6 that we need.

7 Q. And then you let the special ed director know
8 that the packet was, like, complete basically and then
9 the IEP meeting would be convened?

10 A. Yes.

11 Q. And you would not attend that part, correct?
12 The coordinator would attend that meeting?

13 A. Right, usually. I'm not where I can't, but I
14 generally do not.

15 Q. And so has a student ever referred to
16 Cedarwood been denied enrollment because he or she had
17 not received sufficient support at the home school?

18 A. I don't know.

19 Q. Do you have a sense of how many referrals are
20 expected and how many are denied?

21 A. Well, we don't -- we wouldn't -- when you say
22 denied, that makes it sound like someone is saying no,
23 we can't even have a meeting on this.

24 We may say you need to do this or that, you
25 know. You don't have an FBA to back up your behavior

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1 Q. How often would you say these kinds of
2 nonemergent but nonstandard admissions happen?

3 A. Very seldom.

4 Q. Does anybody in the Georgia Department of
5 Education have a role to play in these decisions, these
6 admissions or enrollment decisions?

7 A. No.

8 Q. Do they have a role in transferring records
9 from school to school or program to program?

10 A. No.

11 Q. I'm going to mark as Exhibit 253 (sic) a
12 document from the State GA00013594.

13 MS. HERNANDEZ: I did have one question for
14 you, Laura. It cut out. You said, "Does anyone from
15 the blank participate in." It was your last question
16 and I didn't hear it, if either you or the court
17 reporter can read that back.

18 MS. TAYLOE: Georgia Department of
19 Education.

20 MS. HERNANDEZ: Gotcha. Okay. Thank you.

21 (Plaintiff Exhibit 254 marked.)

22 BY MS. TAYLOE:

23 Q. Okay. And I'm giving you control,
24 Ms. Braddock.

25 A. Okay. You would think by now I would have

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1 figured out how to do it.

2 Q. I'm the same pre-tech generation you are, so
3 no judgment from me. I think if you scroll the control
4 bar on the right, it works better.

5 A. The problem is when I get all the way on the
6 right to scroll, I can't see what's on the left and
7 then have to get back down there. So is this -- okay,
8 here we go.

9 Q. There might be a way to fit it to screen, too,
10 if it's not all on one screen for you.

11 A. Let me try. There we go. Okay. All right.
12 What's your question?

13 Q. Do you recognize this document?

14 A. Yes, I do.

15 Q. Can you -- for the record, it involves an
16 email exchange between Whitney Braddock and Vicky
17 Cleveland.

18 And your message to Vicky is, "I sent a
19 request for a student transfer in i-Ready in the portal
20 earlier this week. I was just double-checking to be
21 sure that you knew the request was there. I have
22 teachers asking about the student."

23 Is that accurate what it says?

24 A. Yes, it is.

25 Q. Can you explain what was happening here?

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1 A. Okay. A student was a move-in from another
2 GNETS to our program. And we used the i-Ready program
3 for reading and math remediation.

4 And if a student was at another GNETS and they
5 were using i-Ready, when they moved to us so that they
6 don't -- so the continuity of using this program, the
7 DOE actually has the ability to transfer students from
8 one GNETS to another within this program, the i-Ready
9 program.

10 Q. Okay. What did you mean teachers asking about
11 the student?

12 A. Well, I had teachers wanting to know when the
13 student can start using i-Ready because he hadn't been
14 transferred into our i-Ready program yet.

15 Q. So he was already in Cedarwood classes --

16 A. Yes.

17 Q. -- but not able to access --

18 A. i-Ready. I'm sorry, I'm talking over you.

19 Q. And is that the only circumstances in which
20 the Department of Education would get involved in a
21 transfer to access records?

22 A. Yeah, for the i-Ready records. Yes.

23 Q. How many new students would you say are
24 enrolled in Cedarwood on average each year?

25 A. It really depends on the year. It changed and

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1 together and talk about kids who are high fliers or
2 involved with more than one agency.

3 So it could be Department of Public Health,
4 Department of Family and Children Services, the DBHDD.
5 Students that are having issues, Department of Juvenile
6 Justice, that if a student is involved with more than
7 one entity, then they are brought to that board if
8 they're having significant problems in any of those and
9 they look at them.

10 And my understanding is that -- and it's not
11 something that I'm always involved with. So let's say
12 a student is having severe behavior issues at home and
13 has been short-term hospital placed a couple of times
14 in just a month or so.

15 Then they may look at that for a long-term
16 hospitalization placement. Those types of things come
17 out of that board, out of that LIPT.

18 Q. Okay. How many students would you say at
19 Cedarwood are involved in LIPT?

20 A. I don't know. Off the top of my head I just
21 don't know.

22 Q. Okay. I'm going to introduce another
23 document. This will be 256 and it is GA00320375.

24 (Plaintiff Exhibit 256 marked.)

25 BY MS. TAYLOE:

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1 Q. All right. And I'm going to -- the attachment
2 to that ends with 0376 so I'm going to introduce them
3 both together as Exhibit 256. Okay. I'm going to
4 share the screen. All right. I'm giving you control.

5 The first is the email and then I'll show you
6 the attachment after you've had a chance to review the
7 email.

8 (Witness reviewing document.)

9 BY MS. TAYLOE:

10 Q. So can you tell me, for the record, do you
11 recognize this email?

12 A. Is there any more than "Attached is the
13 document that you asked for. Let me know if you need
14 any more changes"?

15 Q. No, no. That's the entirety of the email.

16 A. Okay. All right. In looking at it, I was
17 trying to figure out if that was all.

18 I don't remember this email, but I do
19 recognize it as something that my name is on it that I
20 would have sent.

21 Q. Okay. And the subject line is open records
22 request Cedarwood. Can you tell us what open records
23 request is?

24 A. It's a request for records. It's something
25 that I have to legally comply to. I can't say no.

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1 Q. Can I just -- I want to better understand.
2 Does it work better for schools that needed more
3 support? I didn't understand that one.

4 A. Okay. Check and Connect is set up for
5 students and middle school and high school really that
6 may have attendance problems or students who are poorly
7 motivated in big settings where there's not always
8 someone that they can connect with.

9 And in our smaller setting with our students,
10 we just found that identifying students who knew Check
11 In Check Out is just as effective as the Check and
12 Connect and what goes with that.

13 Q. Thank you. That was helpful.

14 Okay. And so the last question I have about
15 this is almost all of this seems like it's funded
16 through the GNETS state grant with a few things on hand
17 and the one you mentioned coming from the GLRS.

18 The one Why Try is a federal grant. How does
19 that come to be under the federal grant for that
20 program?

21 A. I think I probably just pay for it with our
22 federal. In our grant, we get state grant and then we
23 get some money that is a federal grant. And so that
24 specific year I paid for Why Try through that federal
25 grant.

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1 A. It was maybe at 1.2 million, but I'm not
2 completely certain.

3 Q. Okay. But in that neighborhood. And like you
4 said before, that goes to the RESA, and RESA pays most
5 of the -- like the salaries and things of that from
6 that?

7 THE REPORTER: I'm sorry, there was no answer.

8 THE WITNESS: Oh, I'm sorry. Yes.

9 BY MS. TAYLOE:

10 Q. We've done so well for so long.

11 Do you know what the operating budget for the
12 next school year is projected to be?

13 A. I don't know. It's less than it was last
14 year, but I just don't know the numbers.

15 Q. How do you know it's less?

16 A. I've gotten the budget numbers, but I don't
17 know what the numbers are. But it's less money.

18 Q. Do you know about how much less?

19 A. I don't. I just -- my father wanted me to be
20 an accountant, and I'm not good with numbers. I mean,
21 I can add, subtract, multiply, and divide. But
22 remembering them, I'm not -- I can't. I don't know.

23 Q. But when you get the budget, does it -- I'm
24 curious what level of detail -- so you have this much
25 for staffing and this much for this and this much for

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1 that or is it just a fixed amount and you do what you
2 want with it?

3 A. It's a fixed amount, and I do with it what I
4 want.

5 Q. So when you saw how much less it was, did you
6 start thinking like that's going to be one less staff
7 person or, you know, did you already have any ideas of
8 what it was going to limit you from being able to do?

9 A. I did -- I looked at it and, yes, I worry that
10 it will limit me what I will -- or have to not have
11 staff. But I also know that if it comes down to it,
12 the school systems would help meet the gap.

13 Q. How would they do that?

14 A. Like, Bulloch County pays for a teacher. Some
15 of the other school systems would put money in for that
16 to help.

17 Q. And do you know why your budget is lower this
18 year? Is it because of the declining enrollment or
19 some other cause?

20 A. Yes, because of declining enrollment.

21 Q. Is there any other recurring source of funds
22 besides the annual GNETS grant?

23 A. No. Well, we get the annual state grant, and
24 then we get a federal allotment also.

25 Q. What's the federal allotment?

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1 A. So it had been in the past \$315,000. But
2 because our numbers have dropped below 100, now it is
3 \$285,000.

4 Q. And is that for something in particular or
5 also discretionary spending?

6 A. It's for discretionary spending. Most of that
7 goes to pay for classified salaries.

8 Q. What's classified salaries?

9 A. Classified staff. Paraprofessionals, case
10 managers, staff that don't have teaching certificates
11 and contracts, noncontracted people.

12 Q. And is that the same pool of money you said
13 the Why Try came from, that federal grant?

14 A. Yes.

15 Q. Is there any limitation on what you can use
16 the state grant versus the annual grant for?

17 A. Versus the federal grant?

18 Q. I'm sorry, yes.

19 A. There are -- yes, there are things that you
20 can use it for. I usually have to pull my notebook out
21 every year when I sit down to do the budget to look at
22 it.

23 Q. So you can't just put it all in one big bucket
24 and pay the bills. You have to keep track of this is
25 for some and this is for --

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1 conversations about the restrooms, where to put white
2 boards and smart boards and that kind of thing.

3 Q. You're back now. I heard you up through not
4 ADA compliant.

5 A. I'm sorry. So we were not ADA compliant so
6 they had to put a ramp in because we had five stairs.
7 And so in order to bring it up to compliance, they had
8 to put a ramp in.

9 And so our discussions were around where the
10 ramp would be and what it needed to have. We also
11 talked about restrooms, where to put smart boards and
12 the electrical for that.

13 Q. And were the requests that you made, were
14 those the things that were, in fact, repaired with the
15 facilities grant money?

16 A. Yeah. The entire building was pretty much
17 gutted and rebuilt.

18 Q. When was that?

19 A. About three years ago, I think. I'm not good
20 then with time progression either, so three or four
21 years ago.

22 Q. And that would be the Statesboro site, right,
23 because you were in Bulloch County?

24 A. Yes, the Statesboro site. I'm sorry.

25 Q. No, that's fine. I just wanted to clarify for

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1 the record. Okay. Have there been any other state or
2 federal funds like COVID-related monies or special
3 education-related funds?

4 A. Yes. Last year we got some COVID money for
5 nursing-type supplies and things and then some money
6 for counseling services.

7 Q. But that was only last year. It's not renewed
8 this year?

9 A. It has not been renewed this year, no. Well,
10 no, I'm sorry. Yes, there is a separate counseling
11 grant that is coming from the Georgia Department of
12 Education that was renewed this year. Yes.

13 I also get -- I'm sorry -- I also get money
14 that I didn't think about for Dr. Mullis, our
15 counselor. We receive a separate DOE grant for his
16 salary, but I cover his benefits.

17 Q. And is the DOE grant for Mr. Mullis, that is
18 recurring?

19 A. It has been, yes, for three or four years.

20 Q. But the other one, the counseling grant from
21 Georgia Department of Education, do you understand that
22 to be a one-time only like COVID?

23 A. I believe that it's for three years. I'm not
24 completely certain.

25 Q. And then any other kind of funding? Do you

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1 Q. What is S-W-I-S?

2 A. That's SWIS. We don't use that.

3 Q. Okay. Is it the school-wide information
4 system?

5 A. Yes. That is a system that some GNETS and
6 some school systems use for conduct citations or to
7 track conduct and what is known as write-ups.

8 Q. Okay.

9 A. We do that through educator's handbook.

10 Q. And then I want to talk a little bit about the
11 strategic plan and the self-assessment reviews. Are
12 you familiar with the GNETS strategic plan?

13 A. Yes, I am.

14 Q. How would you describe what that plan is?

15 A. It's a plan that covers -- it used to be seven
16 areas. I think it's now six areas -- to basically keep
17 us on track where we look at it and grade ourselves and
18 collect data to make sure we're doing the things we
19 need to do.

20 Q. And who wrote the plan?

21 A. I believe the plan was written by some folks
22 at the Georgia Department of Education and different
23 GNETS directors. We're on a committee.

24 Q. When was it first written?

25 A. I don't know for certain, but it was when

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1 Nakeba was the program manager at the Georgia
2 Department of Education.

3 Q. And were you involved in that committee
4 process?

5 A. I was not on one of the committees for the
6 initial one. I was on a committee when we had some
7 discussions about what to combine and what to cut out
8 to make it a little more streamlined.

9 Q. Was that in connection with it used to be
10 seven areas now it's six?

11 A. Part of it, yes.

12 Q. So what was the -- what were the areas that
13 were combined and streamlined?

14 A. I'm not certain. Off the top of my head, I
15 don't know. If I had it in front of me, I could tell
16 you.

17 Q. What was the timeline, you would say, that
18 your participation on this level, you know, this part
19 of the process was?

20 A. We probably worked on it for a few months, had
21 a couple of meetings.

22 Q. And how long ago was that?

23 A. Prior to COVID. So when we look at things and
24 I can track it like that, so it may have been 2018 and
25 it could have been 2017.

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1 Q. Is that around the time the GNETS rule was
2 being revised? Do you remember in working on the
3 strategic plan, was it in connection with the GNETS
4 rule?

5 A. I believe the rule had already been done.

6 Q. Okay. And what is the -- so you said it was
7 designed to keep you on track. How does it work? What
8 does the plan ask for GNETS or GNETS directors to do?

9 A. We collect data and evidence for each of the
10 areas and the subareas. It requires GNETS directors
11 to --

12 Q. What do you do with the data and evidence?

13 A. I've got it on a file on my computer.

14 Q. Oh, no.

15 A. We present it to our staff so they understand
16 some of the task that they need to do and provide for
17 us.

18 Oh, I completely lost her. My screen is gone.

19 THE VIDEOGRAPHER: We're off the record at
20 4:52.

21 (Recess.)

22 THE VIDEOGRAPHER: We are back on the record
23 at 4:53.

24 BY MS. TAYLOE:

25 Q. Okay. You were starting to tell us that the

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1 process involves collecting data and evidence for each
2 of the areas.

3 A. Right. And part of that is ensuring that our
4 staff knows what our goals are and turns in the things
5 they need to turn in and they are staying on track in
6 providing that information.

7 Q. And by what -- and what standard do you
8 measure whether you're meeting the goals and achieving
9 the objectives outlined?

10 A. So each one has the standard listed and then
11 you write yourself as a -- well, as a 01 or 2, but I
12 think changed that now.

13 Part of the change was that it's emerging or
14 operational or nonexistent. And so that's how those
15 are then marked based on the way that each of the
16 subareas are listed. You know, there's a lot to it in
17 each different section.

18 Q. And are directors given guidance as to what
19 counts as emergent or operational?

20 A. In the beginning rollout of it, yes, we
21 were.

22 Q. But not since then?

23 A. When it was adjusted and changed a little bit,
24 then yes. But not to the same extent as at the
25 beginning of the rollout.

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1 Q. Okay. And what is your understanding about
2 how this information is used when you turn in your
3 self-assessments?

4 A. I don't know how it's used.

5 Q. Do you ever get feedback after you've turned
6 it in?

7 A. In the beginning when it was first rolled out,
8 it was done where someone from the DOE came around to
9 each GNETS and looked at all of the stuff that you had
10 and rated each area.

11 But then beyond that, now they don't -- the
12 DOE is not doing that. We rate ourselves and I've not
13 turned it in. It's just something that we now just
14 use.

15 Q. So, I'm sorry, you're not doing or you're
16 doing it but not reporting it?

17 A. I'm doing it but not reporting it.

18 Q. Okay. And do you recall filling out or
19 writing some narrative responses in response to the
20 documents subpoena where you just described maybe why
21 some information was not available?

22 A. Yes.

23 Q. Do you remember saying that you had not done
24 the strategic plan for FY20 and FY21 because you were
25 not scheduled for review?

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1 A. Yes.

2 Q. So I'm confused now. If I -- you said you
3 were doing it but not turning it in. But that's how
4 you were doing it unless I'm confusing two documents?

5 A. Okay. Well, I collected all the data. I had
6 all the data collected that needs to be done, but we
7 did not do the form and the rating.

8 I was -- it was a mistake on my part because
9 when I found out that we weren't being rated and they
10 weren't coming around -- the DOE was going to do a
11 rotation of coming around.

12 And so when I found out that we weren't being
13 in that rotation, I had all the data but we just didn't
14 do the scoring. It was a mistake on my part. I didn't
15 realize I was still supposed to score myself.

16 Q. So what did you do with the data you collected
17 then?

18 A. It is in a file on my computer.

19 Q. Okay. So did you take any steps to, you know,
20 make things operational that were emerging or anything
21 like that?

22 A. Yeah. I mean, we still used it, you know, in
23 looking at what data we had and where we needed to work
24 on.

25 Q. So you still used it for internal purposes.

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1 Q. Okay. One other question I wanted to revisit
2 is, is time in GNETS, like number of years a student
3 has spent in the GNETS, is that something that was
4 considered as part of the strategic plan?

5 A. No.

6 Q. That was not a target they wanted to reduce as
7 part of the tracking the progress of the programs?

8 A. No.

9 Q. Was there any request that you track exit
10 rates?

11 A. I don't think so.

12 Q. But if you did still track exit rates, either
13 for that or for some other purpose, could that mask
14 that some students were coming and going while others
15 were staying for a long time?

16 A. Could that do what? I'm sorry.

17 Q. Like an exit rate might not look alarming but
18 it would not reveal if some students were coming and
19 going where others were staying for a long time?

20 A. I don't think that we keep that data.

21 Q. Okay. All right. I want to talk a little bit
22 more about the facility closures that we talked about
23 earlier. I don't know that you had dates but -- okay.
24 So the Baxley site in Appling County was closed; is
25 that correct?

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1 A. Yes.

2 Q. Do you remember what the facility's report
3 said about that facility?

4 A. I don't remember.

5 Q. Did you ever see the facility's report
6 itself?

7 A. I did, yes.

8 Q. Do you recall it mentioning the building had
9 been built in 1954 with no apparent renovations?

10 A. I don't remember any of the content.

11 Q. Okay. Do you remember that it was one of the
12 first facilities closed by the Department of Education
13 even while the assessments were going on?

14 A. No. I don't recall that being what
15 happened.

16 Q. What do you recall?

17 A. I recall that an email or a phone call was
18 sent out that we were to be on a virtual meeting, all
19 GNETS directors, and that -- or maybe it was just an
20 email and a phone conference.

21 But it was announced which GNETS facilities
22 would be closed. And I remember my heart racing and
23 trying to figure out what we were going to do.

24 Q. Oh, because you learned on that call that --

25 A. On that call at that point in time everyone at

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1 the same time.

2 Q. And what did you do with the students from the
3 Baxley site?

4 A. The students from the Baxley site were then
5 going to be bussed to the Lyons site. And the Lyons
6 site was moving to the current building that we're
7 in.

8 Q. And what were these assessment reports for the
9 Statesboro and Lyons sites?

10 A. I know the Lyons site was closed. I don't
11 really remember the content of it. And I know that
12 there were recommendations for the Statesboro site, but
13 it was not closed. I received the reports.

14 Q. And do you remember what the basis for the
15 closures were?

16 A. I don't remember the basis.

17 Q. Okay. And for the ones that weren't closed,
18 what was -- what happened?

19 A. For the ones that --

20 Q. That were not closed. What did the Department
21 of Education tell you about the ones that were not
22 closed?

23 A. That would have been our Statesboro site, and
24 they gave recommendations for it to be upgraded and
25 things that needed to be done, which was then why

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1 Bulloch County applied for that GNETS facilities grant
2 and redid the building.

3 Q. Do you remember were you involved in that
4 process?

5 A. I was involved in the renovation of the
6 building, yes. We talked about that earlier.

7 Q. Okay. So after the grant had been awarded,
8 you were involved in how to spend the money but not in
9 the part before that?

10 A. Actually, the application for the grant, the
11 special ed director of Bulloch County schools did the
12 application for the grant. And she asked me questions
13 and I provided her with some information, but she did
14 the bulk of the work on that.

15 Q. And during the period of the renovations, did
16 students have to move to a temporary site for some
17 period?

18 A. Yes.

19 Q. Where did they move?

20 A. They moved to another school in Bulloch County
21 called Portal Middle High School, and we were given
22 rooms in that school.

23 Q. I'm going to introduce now as Exhibit 259 a
24 document from the State, GA00337565.

25 (Plaintiff Exhibit 259 marked.)

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1 what parents or teachers or other students report about
2 these students when they're at these schools.

3 Q. Did the GNETS students, in fact, attend the
4 Portal schools for that semester?

5 A. Yes.

6 Q. Was there any issue with them being dangerous
7 during that time?

8 A. There was some behavior issues, but there was
9 no issues with them being dangerous.

10 Q. Were your staff able to provide the services
11 in the Portal schools?

12 A. Yes.

13 Q. And then who decided that that placement would
14 be temporary?

15 A. The Bulloch County superintendent.

16 Q. And why -- is that a man or woman?

17 A. A man. Charles Wilson is his name.

18 Q. Why did he get to decide that?

19 A. Well, Bulloch County Schools applied for the
20 facilities grant, and Bulloch County schools made --
21 put in other local funding to redo the building.

22 And in doing that, he needed a place -- Portal
23 Middle High had the rooms for us to move to but then
24 the money was being spent to upgrade the building. So
25 then when the building was completed, then we moved

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1 back into it.

2 Q. Were you aware that the facility's grant
3 application had a provision that the grant recipients
4 had to promise that the GNETS program would stay in the
5 facility for ten years?

6 A. Yes.

7 Q. Was that ever discussed with you?

8 A. No, not really. I don't recall having a
9 discussion with anyone about it that I can think of.

10 Q. And are you aware of the amounts of money that
11 were spent on the renovation?

12 A. I do not know the exact price of it. I'm not
13 certain of what it was.

14 Q. I'm going to mark as Exhibit 260 document
15 GA04103131 and let you have control of it.

16 Ms. Braddock.

17 A. Okay.

18 (Plaintiff Exhibit 260 marked.)

19 (Witness reviewing document.)

20 THE WITNESS: Okay.

21 BY MS. TAYLOE:

22 Q. So I'm going to state for the record this is
23 an email from Troy Brown to Pat Schofill copying Scott
24 Wilson dated April 11, 2019.

25 And do you see that the award amount -- well,